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FM AMEMBASSY MUSCAT
TO RUEHC/SECSTATE WASHDC PRIORITY 7906
INFO RHBVAKS/COMUSNAVCENT PRIORITY
RHMFISS/CDR USCENTCOM MACDILL AFB FL PRIORITY
RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE
RUEHKO/AMEMBASSY TOKYO 0043
RHEFDIA/DIA WASHDC
RUEKJCS/SECDEF WASHDC

C O N F I D E N T I A L MUSCAT 000227

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STATE FOR NEA/ARP, NEA/RA AND L/OES

E.O. 12958: DECL: 03/06/2017

TAGS: [PREL](#) [PGOV](#) [KNNP](#) [MARR](#) [MU](#)

SUBJECT: OMANI REQUEST FOR INVESTIGATE REPORT ON JANUARY
ACCIDENT IN THE STRAIT OF HORMUZ

Classified By: Ambassador Gary A. Grappo for Reasons 1.4 (b, d)

11. (U) This is an action request. Please see paragraph 4.

12. (SBU) Embassy Muscat recently received a diplomatic note, dated February 28, 2007, from the Omani Ministry of Foreign Affairs regarding the January 8, 2007 collision of a U.S. military submarine and a Japanese oil tanker near the Strait of Hormuz. An informal translation of the operative text of the note verbale follows (a copy of the note will be sent electronically to NEA/ARP):

"This is in reference to the accident involving the American nuclear-powered submarine (Newport) and the Japanese oil tanker (Moga Megwatta) to the east of the Musandam Governorate in Omani territorial waters on January 8, 2007. Recalling article (1) of the Royal Decree (15/81) providing for innocent passage through the Strait, and the Sultanate's declaration following its ratification, in August 1989, of the UN Law of the Sea (1982), requiring advance notification prior to entering territorial waters to ensure innocent passage of naval vessels, nuclear-powered vessels, and vessels carrying nuclear materials, and since the American submarine did not provide notice before entering Omani territorial waters, this is considered a violation of national legislation and could have caused an environmental catastrophe in the region. Therefore, the Ministry requests the Embassy to provide details and results of the investigation of the incident that took place in Omani territorial waters."

13. (SBU) Post understands that the Department is currently working with the Department of Defense to prepare a formal response - to be cleared through an interagency process - to the Omani request that will also address the claim that the submarine was operating in violation of Omani law. We are prepared to help provide additional information needed to draft this response.

14. (C) Action Request: Post seeks guidance on how to respond to this request from the Omani government. Post wishes to be responsive to the Omani request for information about the accident without acknowledging/accepting Oman's application of the UN Law of the Sea with regard to advance notification of passage of U.S. naval vessels through the Strait of Hormuz. End Action Request.
GRAPPO